

REMARKS

Claims 37-48 are pending. Claims 37-48 stand rejected. Claims 37, 44, 46, and 47 have been amended. No new matter has been added by these amendments. Applicant respectfully requests entry of the amendments, which raise no new issues that require further consideration and place the application in better condition for allowance or appeal.

Claim Rejections – 35 U.S.C. § 102(b)

Claims 37-40 and 42 have been rejected under 35 U.S.C. §102(b) in view of van der Hoeven, U.S. Patent No. 4,789,604 (“van der Hoeven”).

Claim 37 has been amended to claim a process, “wherein the chemically crosslinkable composition is crosslinked as it is being applied to the surface of the compressible mat.” This more particular wording illustrates that the coating crosslinks as it is being applied, rather than at some other point in the process. As the examiner correctly states, van der Hoeven “shows that the composition is cross-linked **downstream** of the application point,” and the composition is cured at a different point in the production process from where it is applied to the coating (van der Hoeven FIG. 1). In contrast, the current claim requires that the coating is crosslinked as it is being applied to the coating. As van der Hoeven does not describe, teach, or suggest such a process, claim 37 is both novel and unobvious over van der Hoeven. Dependent claims 38-40 and 42 ultimately depend upon claim 37 and thus incorporate every limitation of independent claim 37. Therefore, claims 38-40 and 42 are also novel and unobvious over van der Hoeven. Accordingly, applicants respectfully request entry of the amendment and withdrawal of the rejection of these claims.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 37-48 have been rejected under 35 U.S.C. §103(a) in view of van der Hoeven, and Helmer, PCT Application No. WO 96/22338 (“Helmer”).

Van der Hoeven concerns decorative panels having improved surface properties. These panels are constructed by forming an outer layer, and placing it onto a core layer (col. 8, lines 38-50, examples 1-3). The outer layer is formed by coating a substrate and then later curing the coating (col. 9, lines 4-19 and examples). These completed panels may be used for interior or exterior use in the building industry (col. 1, lines 6-11). In contrast, Helmer concerns fast hardening aqueous coating compositions and paint, particularly traffic marking paints. One of ordinary skill in the art of making construction panels would not look to traffic paints for use in making decorative panels. There is no suggestion nor motivation in the prior art to combine the teachings of these references. Neither reference mentions or even hints at the area of the other reference. This is unsurprising, as the areas are very different, and the product performance requirements for each area vary greatly. Applicants therefore respectfully request withdrawal of the rejection.

However, even if the references are combinable, one of skill in art having knowledge of van der Hoeven would not look to Helmer. One reason is the number of differences between the references, for example, the time required to cure the coating. The examiner suggested that one of ordinary skill would use the polymers of Helmer in the process of van der Hoeven in order to achieve faster curing. However, the time of curing clearly illustrates why the combination of references is improper. The fast hardening aqueous coating compositions of Helmer are only fast hardening in the area of paints, and specifically traffic marking paints. Helmer describes a composition that has a "hardening rate measurement rating of at least 5 within 20 minutes" (page 3, line 6-8), or a "no-track time according to ASTM D711-84 of 20 minutes or less" (page 3, lines 21-24). The hardening rate measurement used in Helmer is "determined by finger testing" of a 0.51 mm film (page 19, lines 20-28). A hardening rate measurement rating of 5 is equivalent to "composition is not sticky or wet, but is receptive to fingerprint with soft pressure, soft when twisted or gouged." (page 19, lines 33-34). Accordingly, Helmer discloses a coating that forms a soft film, that is at least not sticky or wet, within 20 minutes.

In contrast, van der Hoeven uses a high speed production process to form the outer layer of decorative panels. Van der Hoeven describes using a electron beam radiation source for the

curing of the coating, with an energy corresponding to 150 to 350 KeV (col. 8, lines 8-10), in order to achieve radiation doses of 60 KGy (Examples 1-3). This dosage is very quickly achieved using an electron beam, and in fact, may be achieved in just a few seconds. This is shown in the attached article (V. Pirozhenko et al., COMPACT 200-keV ELECTRON BEAM SYSTEMS, Proceedings of the 2001 Particle Accelerator Conference, Chicago, located at <http://epaper.kek.jp/p01/PAPERS/FOAA012.PDF>), which describes an electron beam source for the irradiation of continuously moving tape (TAPIS). The maximum dose rate for such a system is 60 KGy/second (see Table 1). Accordingly, it can be seen that van der Hoeven describes a system in which a hard coating may be formed with a curing time **orders of magnitude** faster than that of Helmer (up to 1200 times faster if the extreme times of 20 minutes and 1 second are used). Even at less than maximum rates, it is evident that the curing times of Helmer are **much** slower than van der Hoeven. Therefore, one of ordinary skill in the art of panel making would not look to Helmer to achieve faster curing, as Helmer does not disclose a polymer coating that provides faster curing. As one would not look to Helmer to get a faster cure time, the combination of van der Hoeven and Helmer is improper hindsight analysis, based on the disclosure of the present application. Therefore, applicants respectfully request withdrawal of the rejection.

As can be seen, there are a number of conflicting and significant differences between the references cited. Accordingly, there is no motivation or teaching in the prior art, nor suggestion of the desirability to one of ordinary skill in the art, to combine the references. In addition, even if the references are combinable, one of skill in the art working with van der Hoeven would not look to Helmer to obtain a faster cure time. For at least these reasons, applicants respectfully request withdrawal of the rejection of claims 37-48.

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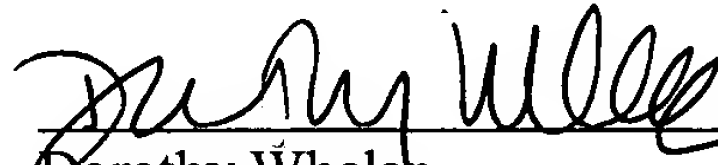
Attorney's Docket No.: 11939-066002 / 06-1480-0102

Applicants request entry and consideration of the amendments and withdrawal of the rejections. Allowance of the claims is solicited. If questions remain regarding the above, please contact the undersigned at your earliest convenience.

Enclosed is a \$110.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 7/16/04


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